

Exhibit A
PROPOSED ORDER

OLSHAN FROME WOLOSKY LLP

1325 Avenue of Americas
New York, New York 10019
Michael S. Fox, Esq.
Thomas J. Fleming, Esq.
Jonathan T. Koevary, Esq.
212.451.2300

Special Counsel to the Trustee

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

In re:

DIAMOND FINANCE CO., INC.

Debtor.

Chapter 7

Case No. 8-20-71877 (REG)

**[PROPOSED] ORDER PURSUANT TO BANKRUPTCY CODE
SECTION 105(a) AND BANKRUPTCY RULES 9016 AND 9020
AGAINST MARCOS BENZAQUEN**

Upon the application (the “Motion”) of Marc A. Pergament, as Chapter 7 trustee (the “Trustee”) of the Diamond Finance Co., Inc., (the “Debtor”) for entry of an order under section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”) and Rules 9016 and 9020 of the Federal Rules of Bankruptcy Procedure holding Marcos J. Benzaquen in contempt thereof, imposing sanctions, and compelling Mr. Benzaquen to comply with the Trustee’s subpoena, issued pursuant to the Court’s June 12, 2020 Order (“2004 Order”), directing the production of documents and oral examination of Marcos Benzaquen; and based on the foregoing, it is hereby

ORDERED, that the Motion is granted on the terms set forth herein; and it is further

ORDERED, that Marcos Benzaquen is found in contempt for failure to comply with the Mail Subpoena and this Court Order; and it is further

ORDERED, that Marcos Benzaquen is sanctioned for repeated violations of the Mail Subpoena and related Orders; and it is further

ORDERED, that Marcos Benzaquen is sanctioned in the amount of \$100.00 per day, accruing from September 15, 2020 and until compliance with the Mail Subpoena; and it is further

ORDERED, that Marcos Benzaquen is directed to take all other actions necessary to comply with the Mail Subpoena no later than 5 business days after the date of entry of this Order; and it is further

ORDERED, that the Trustee's Special Counsel shall serve this Order upon Marcos Benzaquen by regular mail and certified mail to his business address at 707 Hempstead Turnpike, Franklin Square, New York 11010; and it is further

ORDERED, that the parties shall appear for hearing on _____, 2020, at 9:30 a.m. in Courtroom _____, at the United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D'Amato Courthouse, 290 Federal Plaza, Room 860, Central Islip, NY 11722 to consider the allowable amount of attorneys' fees and expenses incurred by the Trustee in connection with the Motion and payable by Marcos Benzaquen.

HONORABLE ROBERT E. GROSSMAN
UNITED STATES BANKRUPTCY JUDGE